



**U.S. Citizenship
and Immigration
Services**

**Non-Precedent Decision of the
Administrative Appeals Office**

MATTER OF Z- INC.

DATE: OCT. 4, 2016

APPEAL OF TEXAS SERVICE CENTER DECISION

PETITION: FORM I-140, IMMIGRANT PETITION FOR ALIEN WORKER

The Petitioner, a provider of information technology services, seeks to permanently employ the Beneficiary as a senior programmer analyst. It requests the Beneficiary's classification as a member of the professions holding an advanced degree under the second preference immigrant category. *See* Immigration and Nationality Act (the Act) section 203(b)(2)(A), 8 U.S.C. § 1153(b)(2)(A). This classification allows a U.S. employer to sponsor a professional with an advanced degree or its equivalent for lawful permanent resident status.

On December 15, 2015, the Director, Texas Service Center, denied the petition. The Director found that the record did not establish the Beneficiary's educational qualifications for the offered position and the requested classification.

The matter is now before us on appeal. The record on appeal and in response to our June 17, 2016, notice of intent to dismiss establishes the Beneficiary's possession of the educational qualifications for the offered position and the requested classification, and otherwise establishes eligibility for the requested benefit. Upon *de novo* review, we will sustain the appeal.

ORDER: The appeal is sustained.

Cite as *Matter of Z- Inc.*, ID# 113352 (AAO Oct. 4, 2016)